

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No.
)	
2015 NISSAN GT-R COUPE,)	
VIN: JN1AR5EF0FM280947,)	
)	
ONE CZ-75 SP-01 TACTICAL)	
40 CALIBER PISTOL, SERIAL)	
NO. B697071, and)	
)	
ONE CZ-75 SP-01, 9MM PISTOL,)	
SERIAL NO. B427577,)	
)	
)	
Defendants.)	

VERIFIED COMPLAINT OF FORFEITURE

Comes now plaintiff, United States of America, by and through its attorneys, Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and Amanda Wick, Assistant United States Attorney, for said district, and in a civil cause of action for forfeiture respectfully states as follows:

1. In this in rem civil action the United States seeks forfeiture of certain property, pursuant to the provisions of Title 21, United States Code, Section 881.

2. Subject Matter Jurisdiction of this Court is based on Title 28, United States Code, Sections 1345, 1355(a), and Title 21, United States Code, Section 881. In rem jurisdiction is based on Title 28, United States Code, Section 1355. Venue is proper in this district pursuant to Title 28, United States Code, Section 1355 & 1395 and Title 21, United States Code, Section 881(j).

3. The defendant property was furnished or intended to be furnished in exchange for controlled substances in violation of the Controlled Substances Act, Title 21, United States Code, Section 801 et seq., was proceeds traceable to such an exchange, or was used or intended to be used to facilitate such an exchange. The defendant property is therefore subject to forfeiture to the United States of America, under the provisions of Title 21, United States Code, Section 881(a)(6).

4. The defendant property was seized in the Eastern District of Missouri and is now, and during the pendency of this action will be in the jurisdiction of this court.

5. On or about August 26, 2016, the defendant property listed below was seized from Beau Brinkley by the United States Postal Inspection Service. The two firearms (hereafter referred to as the “Defendant Property”) are more particularly described as follows:

- a) CZ-75 SP-01 Tactical 40 Caliber Pistol, Serial No. B697071; and
- b) CZ-75 SP-01, 9mm Pistol, Serial No. B427577.

6. On or about September 15, 2016, a 2015 Nissan GT-R Coupe, VIN: JN1AR5EF0FM280947 (hereafter, the “Defendant Vehicle”) was seized from Beau Brinkley by the United States Postal Inspection Service.

7. An investigation conducted by the United States Postal Inspection Service, and other law enforcement agencies has led to the discovery of multiple individuals involved in a drug distribution network operating from California to Illinois. Information developed by investigators identified Beau Brinkley as one of the members of the organization.

8. Investigators have utilized law-enforcement surveillance operations, statements made by individuals as part of this investigation, and other investigative procedures to identify the extent of Brinkley’s involvement in the drug trafficking enterprise.

9. On August 26, 2015, Inspectors were at the USPS Network Distribution Center in Hazelwood, Missouri, conducting a routine review of incoming Priority Mail Express parcels. While reviewing the parcels, Inspectors observed several parcels that appeared to have similar characteristics (heavily taped, similar handwriting, and all were mailed from Post Offices within close proximity of each other in Modesto, California). Inspectors recorded data from the parcels to further analyze USPS business records.

10. At approximately 8:00 AM that day, Inspectors contacted a member of the Metropolitan Enforcement Group of Southwestern Illinois (MEGSI) and advised that one of the suspicious packages was destined for an address within MEGSI's jurisdiction. The MEGSI agent said they would monitor activity near the address and look for any suspicious activity. Upon arriving at the residence, Agents observed a white Ford pick-up truck registered to a male subject (JM). At approximately 10:42 AM, the suspicious package was delivered to the address in Belleville, IL. Following the delivery, MEGSI Agents observed JM carrying the package and a bag of trash. JM threw the package into the dumpster where it was retrieved by MEGSI Agents. MEGSI Agents also retrieved heat sealed bags from the dumpster.

11. At approximately 12:12 PM, MEGSI Agents conducted an investigative traffic stop on the white, Ford F-150, driven by JM, as it was leaving the residence in Belleville, IL. While JM was being detained away from the residence, MEGSI Agents knocked on the door of the Belleville, IL residence and encountered a female occupant. After receiving consent to search the residence from the female occupant, MEGSI Agents located approximately 2 pounds of methamphetamine.

12. After the search of the residence was completed, JM told MEGSI Agents he wished to cooperate with the investigation. During the interview, JM stated that Beau Brinkley paid him

to accept parcels sent through the U.S. Mail. JM indicated the parcels first contained marijuana but changed later when Brinkley transitioned to methamphetamine. JM said the packages contained a kilogram of methamphetamine and that Brinkley was receiving approximately three kilograms of methamphetamine each week. JM said Brinkley was selling the methamphetamine for \$24,000.00 a kilogram.

13. On at least three occasions since late July, JM said he met with Brinkley and handed Brinkley several thousands of dollars from the sales of the methamphetamine. On each occasion, Brinkley was driving the Defendant Vehicle. JM indicated that on each occasion, Brinkley either kept the money on his person or placed the money inside of the Defendant Vehicle and drove away from the scene.

14. Available USPS business records indicated that one of the other suspicious packages had already been delivered. On August 26, 2015, Postal Inspectors drove to the address in Desoto, MO in hopes of retrieving the package to investigate its contents. During surveillance of the residence, investigators witnessed a female leave the residence in a white Ford pick-up truck. Inspectors conducted an investigative stop, approached the female and asked her if there was a parcel delivered to her residence and if they could further discuss the delivery of the package at her residence. She agreed and drove her own vehicle back to her residence. Once at the residence she identified a subject she knew as "Beau" as the intended recipient of the suspect parcel. She advised that "Beau" had already retrieved the package. She provided consent to search her residence. Once inside the residence, she recanted her story and told Inspectors that the package was located near a back bedroom next to her pit bulls. Inspectors discovered the package and seized it upon suspicion of containing a controlled substance. After the package was seized, the woman stated that she has received approximately 10 previous parcels through the

US Mail, all of which she eventually provided to Brinkley. She said that typically, once she accepts a parcel on Brinkley's behalf, she is contacted by another individual who instructs her to remove the package from the front porch and "clean it up", meaning ripping the label off of the box and hiding the box in a safe place. She was instructed to never open the boxes. Eventually she would get a call on her cell phone with instructions to take the package out to Brinkley, who is usually parked in her driveway. The most recent vehicle she has witnessed Brinkley drive is the Defendant Vehicle. She stated that she handed Brinkley the parcel, he placed it in the Defendant Vehicle, and then drove off. On one occasion she observed Brinkley open one of the received parcels and it contained marijuana.

15. On August 26, 2015, agents traveled to Festus, MO in an attempt to make contact with Brinkley. Once at the residence, agents made contact with a female occupant (HB) who told agents there was a safe in the residence. HB stated that she does not have control over the safe anymore as it is used by Brinkley. Agents asked HB for consent to search the residence, but were denied and agents terminated questioning. A short while later, Brinkley arrived at the residence in the Defendant Vehicle. Agents observed and seized a handgun which was in plain-view on the floorboard of the vehicle. The firearm is more fully described as a CZ-75 SP-01, 9mm Pistol, Serial No, B427577. The Defendant Vehicle was towed to the St. Charles City Police Department pending the application of a seizure warrant. Brinkley was arrested pending application of warrants related to a previous investigation.

16. On this same day, investigators received a Jefferson County Search Warrant for Brinkley's residence. Pursuant to the search, investigators seized a CZ-75 SP-01, 40 caliber pistol, Serial No. B697071, two magazines, miscellaneous ammunition, miscellaneous documents, two CZ pistol cases, a Galaxy Edge cellphone, and a Samsung Verizon Flip Phone.

17. On August 27, 2015, a Federal Search Warrant was issued for two of the other suspicious packages that had been retrieved. Execution of both packages revealed a total of approximately four pounds, five ounces of methamphetamine, which has a street value of approximately \$40,000.

18. On August 28, 2015, Inspectors contacted Autohaus BMW and were informed that on or about July 22, 2015, Brinkley purchased the Defendant Vehicle. Purchasing documents indicate that Brinkley used \$40,000 in cash to purchase the vehicle. Employees from Autohaus BMW said that Brinkley told them he won \$40,000 at a casino and that he was utilizing the money he won to buy a car.

19. On September 11, 2015, a Federal seizure warrant was issued for the Defendant Vehicle. The vehicle was seized from the St. Charles City Police Department on September 15, 2015.

20. The only person known to have a possible interest in the defendant property is Beau Brinkley.

21. By reason of these premises, the defendant property is subject to forfeiture to the United States, pursuant to the provisions of Title 21, United States Code, Section 881.

WHEREFORE, Plaintiff prays that a Warrant for Arrest be issued for the defendant property and the defendant property be condemned and forfeited to the United States of America, in accordance with the provisions of law; and that the plaintiff be awarded its costs in this action, and have such other relief as provided by law and the nature of the case may require.

Respectfully submitted,

RICHARD G. CALLAHAN
United States Attorney

/s/ Amanda Wick
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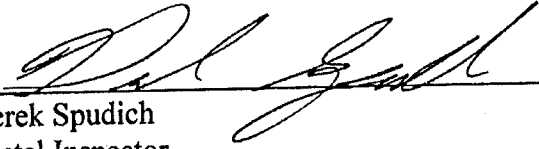
VERIFICATION

I, Postal Inspector, Derek Spudich, hereby verify and declare under penalty of perjury that I am a Special Agent with the United States Postal Inspection Service, that I have read the foregoing Verified Complaint *in rem* and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/24/2017
(date)


Derek Spudich
Postal Inspector
United States Postal Inspection Service